

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

DIAMONDBACK INDUSTRIES, INC.,	§	
	§	
Plaintiff,	§	
	§	
v.	§	CASE NO. 6:19-CV-00034-ADA
	§	(Consolidated with 6:19:CV-00036-ADA)
REPEAT PRECISION, LLC; NCS	§	
MULTISTAGE, LLC; NCS MULTISTAGE	§	
HOLDINGS, INC.; ROBERT NIPPER;	§	
GARY MARTIN; GRANT MARTIN; and,	§	
	§	
Defendants.	§	
	§	

**STIPULATED VOLUNTARY DISMISSAL OF CERTAIN CLAIMS OF PLAINTIFF’S
SECOND AMENDED COMPLAINT WITH PREJUDICE**

Pursuant to F.R.C.P. 41(a)(1)(A)(ii), Plaintiff, Diamondback Industries, Inc. gives notice of the stipulated dismissal of the following claims contained in Plaintiff’s Second Amended Complaint (Docket No. 61) in the above-identified court action with prejudice against refiling the same:

1. Texas Uniform Trade Secrets Act (TUTSA);
2. Defend Trade Secrets Act (DUTSA);
3. Computer Fraud and Abuse Act (CFAA);
4. Harmful Access by Computer; and,
5. Tortious Interference.

This stipulated dismissal in no way affects the any of the other claims and causes of action Plaintiff has asserted in its Second Amended Complaint. Pursuant to F.R.C.P. 41(a)(1)(A)(ii), no Order is required for this dismissal, as counsel for all parties have given permission to Plaintiff to sign this stipulated dismissal on their respective behalves.

Dated: October 22, 2019

Respectfully submitted,

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**Counsel for Repeat Precision, LLC, NCS
Multistage, LLC, NCS Multistage Holdings,
Inc., and Robert Nipper**

CERTIFICATE OF CONFERENCE

I hereby certify the substance of this motion was discussed with Scott Hastings via emails between the parties (including Trey Peacock) from October 16, 2019 through October 18, 2019, and October 22, 2019. Mr. Hastings indicated the dismissal of the above referenced claims were acceptable to Defendants.

/s/ Decker A. Cammack
Decker A. Cammack

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of October, 2019, I caused a true and correct copy of the foregoing document to be served via electronic mail on all counsel of record in this matter.

/s/ Decker A. Cammack
Decker A. Cammack